

From: Tom McCormick <tommccormick@mac.com>
Sent: Tuesday, March 13, 2018 4:00 PM
To: MacCready, Paul
Cc: Countryman, Ryan; Mock, Barb; McCrary, Mike; Dobesh, Michael
Subject: Point Wells -- Design Review Board recommendation re Building Heights
Attachments: Exhibits #1, #2, and #3.pdf

To: Snohomish County Design Review Board

Working with a coalition of residents and organizations opposing the current scale of the proposed Point Wells Urban Center, I respectfully request that the Design Review Board make the following written recommendation to PDS and the applicant:

DESIGN REVIEW BOARD RECOMMENDATION

If the maximum building height for the proposed Point Wells Urban Center is determined to be 90 feet (requiring that 19 buildings taller than 90 feet be reduced in height), then, to retain the tiered approach employed in the applicant's 2017 amended plans, provide that the 26 buildings shorter than 90 feet shall remain the height shown in the 2017 amended plans or preferably be reduced in height (but shall not be increased in height), as follows:

— NORTH VILLAGE

NV-L1 (3 stories), NV-L2 (5 stories), NV-L3 (5 stories);

— CENTRAL VILLAGE

CV-L1 (3 stories), CV-L2 (3 stories), CV-L3 (3 stories), CV-L4 (3 stories), CV-L5 (3 stories), CV-L6 (3 stories), CV-L7 (5 stories), CV-L8 (5 stories), CV-L9 (5 stories), CV-L10 (5 stories), CV-L11 (6 stories), CV-L12 (6 stories), CV-L13 (6 stories);

— SOUTH VILLAGE

SV-L1 (3 stories), SV-L2 (3 stories), SV-L3 (3 stories), SV-L4 (3 stories), SV-L5 (3 stories), SV-L6 (4 stories), SV-L7 (4 stories), SV-T5 (8 stories), SV-T6 (8 stories); and

— URBAN PLAZA

UP-T4 (8 stories).

I. Background — The Development Code's 90-foot maximum building height.

Nineteen buildings in the proposed Point Wells Urban Center (the project) exceed the 90-foot height limit contained in Snohomish County Code 30.34A.040(1)(2011 version). The Code provides that,

"The maximum building height in the UC zone shall be 90 feet."

The Code also provides a narrow exception, whereby the hearing examiner may approve a building height increase up to an additional 90 feet "when the project is located near a high capacity transit route or station." Opponents maintain that this exception does not apply because

there is no high capacity transit stop at or near Point Wells. The closest high capacity transit stop is miles away.

In 2015, recognizing that the applicant's original 2011 plans included 19 buildings taller than 90 feet, and that no high capacity transit stop existed at Point Wells, the County's department of Planning and Development Services (PDS) advised the applicant of the possibility that the maximum building height might be 90 feet. According to public records that I have received, PDS discussed the issue with the applicant and its consultant(s) during at least twelve conference calls during 2015. Apparently the applicant realized that a 90-foot height limit was a real possibility. On July 17, 2015, the applicant submitted to PDS its alternate 90-foot plans, five pages prepared by the applicant's architect depicting what the project would look like if the maximum building height were 90 feet (copy attached as Exhibit #1).

Almost two years later, on April 17, 2017, the applicant resubmitted its architectural plans and other application materials to PDS (the applicant's "2017 amended plans"). Just like its original 2011 plans, the applicant's 2017 amended plans included 19 buildings taller than 90 feet.

After reviewing the 2017 amended plans, PDS challenged the applicant to explain why it thinks it should be able build 19 buildings taller than 90 feet at Point Wells. In PDS's Oct. 6, 2017 Review Completion Letter sent to the applicant, PDS told the applicant that it "must" answer the question of whether Point Wells is near a high capacity transit route or station, and identify "specific high capacity transit route(s) or station(s) that would meet this requirement." (Copy of pages 32-33 is attached as Exhibit #2). So far, the applicant has failed to comply with the County's directive, leaving a cloud over the applicant's plans for 19 buildings taller than 90 feet. If, as expected, the maximum building height at Point Wells is determined to be 90 feet because there is no high capacity transit stop at or near Point Wells, the applicant will need to reduce the height of the 19 buildings to 90 feet or less.

II. Design and massing failure — The applicant's 2015 alternate 90-foot plans.

It is not your job, as members of the Design Review Board, to decide whether the maximum building height at Point Wells is 90 feet. The hearing examiner will decide that. But it is your job to make recommendations on design and massing issues, among others.

It is appropriate for you to examine and make recommendations regarding the applicant's 2015 alternate 90-foot plans because of the likelihood that the maximum building height at Point Wells is 90 feet (see discussion above). As building heights are an element of design and massing, it is appropriate to examine whether the applicant's 2015 alternate 90-foot plans represent an acceptable design and massing for the project's 45 buildings.

Before examining the applicant's 2015 alternate 90-foot plans, let's review the design and massing of the applicant's 2017 amended plans with 19 buildings taller than 90 feet. Please see Exhibit # 3 (copy attached), which includes a page from the applicant's 2017 amended plans that I marked to show the number of stories in each of the project's 45 buildings. The shortest buildings are in front nearest the water, with 11 of them being just three stories tall (that's about 25% of the project's 45 buildings). In the Central and South Villages, the next row of buildings

farther from the water is slightly taller, at five stories (Central Village) and four stories (South Village). And the third row in the Central Village is six stories. In contrast, the 19 towers taller than 90 feet (ranging from 10 to 17 stories) are farther inland behind the shorter buildings. The architectural plans employ a tiered approach, with the tall towers in the rear and the shorter buildings in front nearest the water.

The tiered approach submitted by the applicant's architect is presumed a best practice architectural design for large mixed-use projects on the water's edge. It preserves views for many of the residential units in the rear towers, and it avoids an unattractive, "dormitory style" development with buildings all the same height.

Now, let's analyze the design and massing of the applicant's 2015 alternate 90-foot plans. The applicant's architect created the alternate 90-foot plans by starting with the applicant's original 2011 plans, which are similar to the 2017 amended plans. The applicant's architect unimaginatively employed a simplistic cut-and-paste approach to achieve a site plan with buildings no taller than 90 feet. The architect cut stories from all 19 towers taller than 90 feet, thereby shortening them to nine stories/90 feet, and then it pasted stories onto buildings shorter than 90 feet, thereby *increasing* their height to nine stories/90 feet. Exhibit #1 reveals the end result of this cut-and-paste fiasco — a non-tiered, very institutional "dormitory style" development where nearly all buildings are nine stories tall (see particularly page 4).

If the tiered approach that the architect employed in both the applicant's original 2011 plans and its 2017 amended plans is a best practice architectural design for large mixed-use projects on the water's edge, then the architect's 2015 alternate 90-foot plans represent just the opposite, a worst practice design; the 2015 alternate 90-foot plans are a design and massing failure. Remarkably, even the applicant has expressed its distaste for such an unattractive "dormitory style" development. Back in 2009, in response to a proposal that would have imposed a 65-foot building height limit at Point Wells and a limit on the number of units, the applicant's attorney wrote, in a Sept. 24, 2009, letter to the County Council:

Such "limitations would also dictate exactly the type of project design in which [the applicant] is not at all interested. Buildings not much taller than the existing tanks would blanket the site, ... forcing a very institutional "dormitory style" development. Even if economically justifiable, [the applicant] is not interested in that kind of unimaginative and unattractive development."

III. Your recommendation.

Because the applicant and its architect employed the tiered approach both in the original 2011 plans and in the 2017 amended plans, they obviously must believe that a tiered approach is the best, most innovative architectural design for the Point Wells Urban Center located on the water's edge. Note that the architect, Perkins+Will, is known for its innovative designs; per its website, it was honored earlier this year "as One of the World's Most Innovative Companies in Architecture."

I am asking that you recommend to PDS and the applicant that, if the maximum building height at Point Wells is determined to be 90 feet, then, to retain the tiered approach already employed by the applicant and its architect, simply provide that all buildings in the 2017 amended plans that are less than 90 feet in height should either stay at their depicted height or be reduced in height, but under no circumstances should such shorter buildings be increased in height. Such a recommendation will, if adopted, avoid the type of unimaginative, unattractive, very institutional, "dormitory-style" development that even the applicant has gone on record as opposing.

As it seems likely that the maximum building height at Point Wells is 90 feet (see above discussion), your recommendation will help guide PDS and the applicant as the project gets revised to conform to the 90-foot maximum. Should 90 feet indeed be the maximum building height, your recommendation will ensure a tiered development on the water's edge, with 90-foot towers in the rear and the shortest buildings in front nearest the water.

I respectfully request that the Design Review Board make the following written recommendation to PDS and the applicant of the proposed Point Wells Urban Center development:

DESIGN REVIEW BOARD RECOMMENDATION

If the maximum building height for the proposed Point Wells Urban Center is determined to be 90 feet (requiring that 19 buildings taller than 90 feet be reduced in height), then, to retain the tiered approach employed in the applicant's 2017 amended plans, provide that the 26 buildings shorter than 90 feet shall remain the height shown in the 2017 amended plans or preferably be reduced in height (but shall not be increased in height), as follows:

— NORTH VILLAGE

NV-L1 (3 stories), NV-L2 (5 stories), NV-L3 (5 stories);

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— SOUTH VILLAGE

SV-L1 (3 stories), SV-L2 (3 stories), SV-L3 (3 stories), SV-L4 (3 stories), SV-L5 (3 stories), SV-L6 (4 stories), SV-L7 (4 stories), SV-T5 (8 stories), SV-T6 (8 stories); and

— URBAN PLAZA

UP-T4 (8 stories).

Thank you.

Tom McCormick
Richmond Beach resident

Attachments (all in one PDF file):

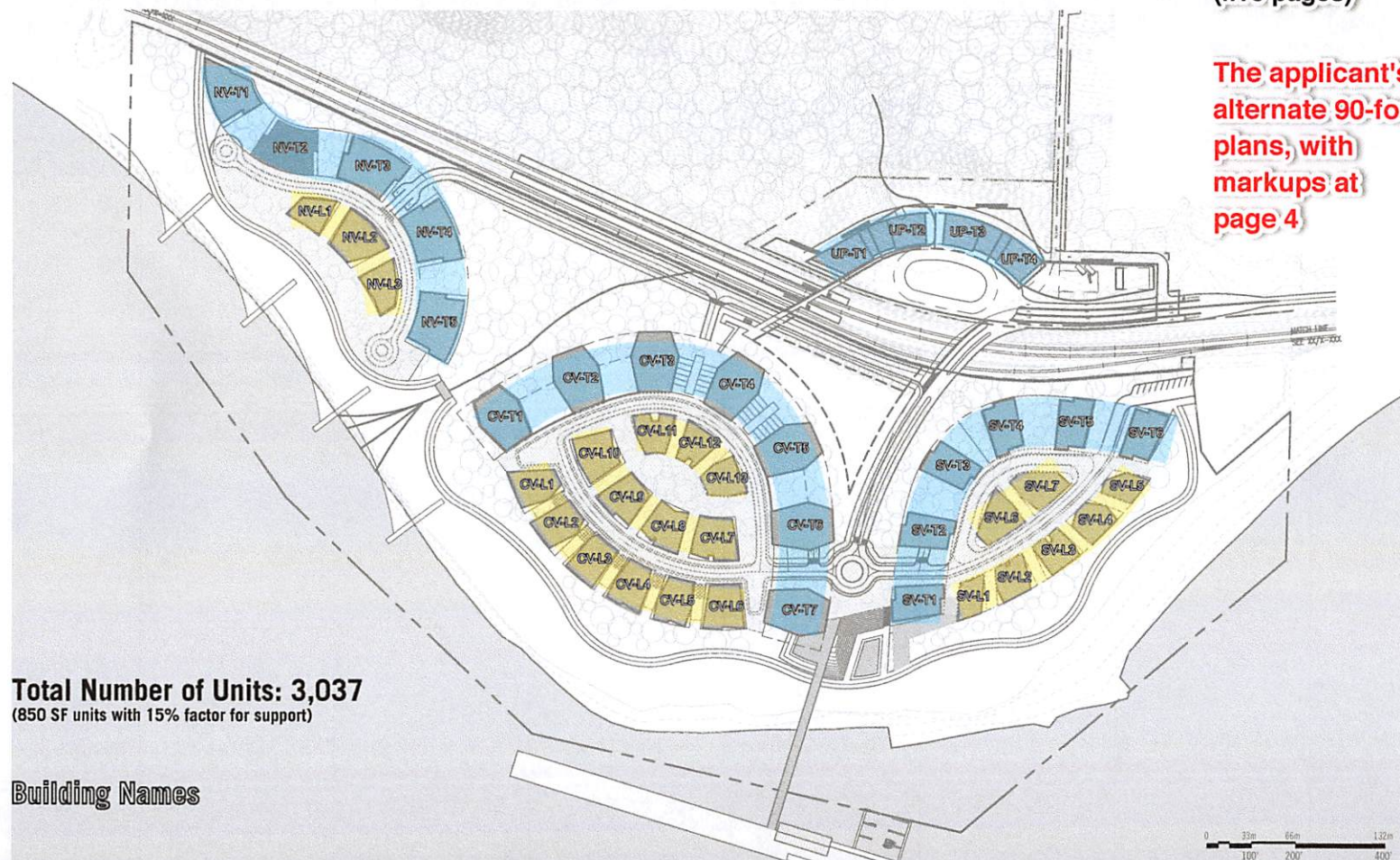
— Exhibit #1 (five pages): The applicant's 2015 alternate 90-foot plans

- Exhibit #2 (two pages): Pages 32-33 of PDS's Oct. 6, 2017 Review Completion Letter
- Exhibit #3 (two pages): A page from the applicant's 2017 amended plans marked to show the number of stories per building, and a screen shot from the applicant's flyover video

Exhibit #1

(five pages)

The applicant's
alternate 90-foot
plans, with
markups at
page 4



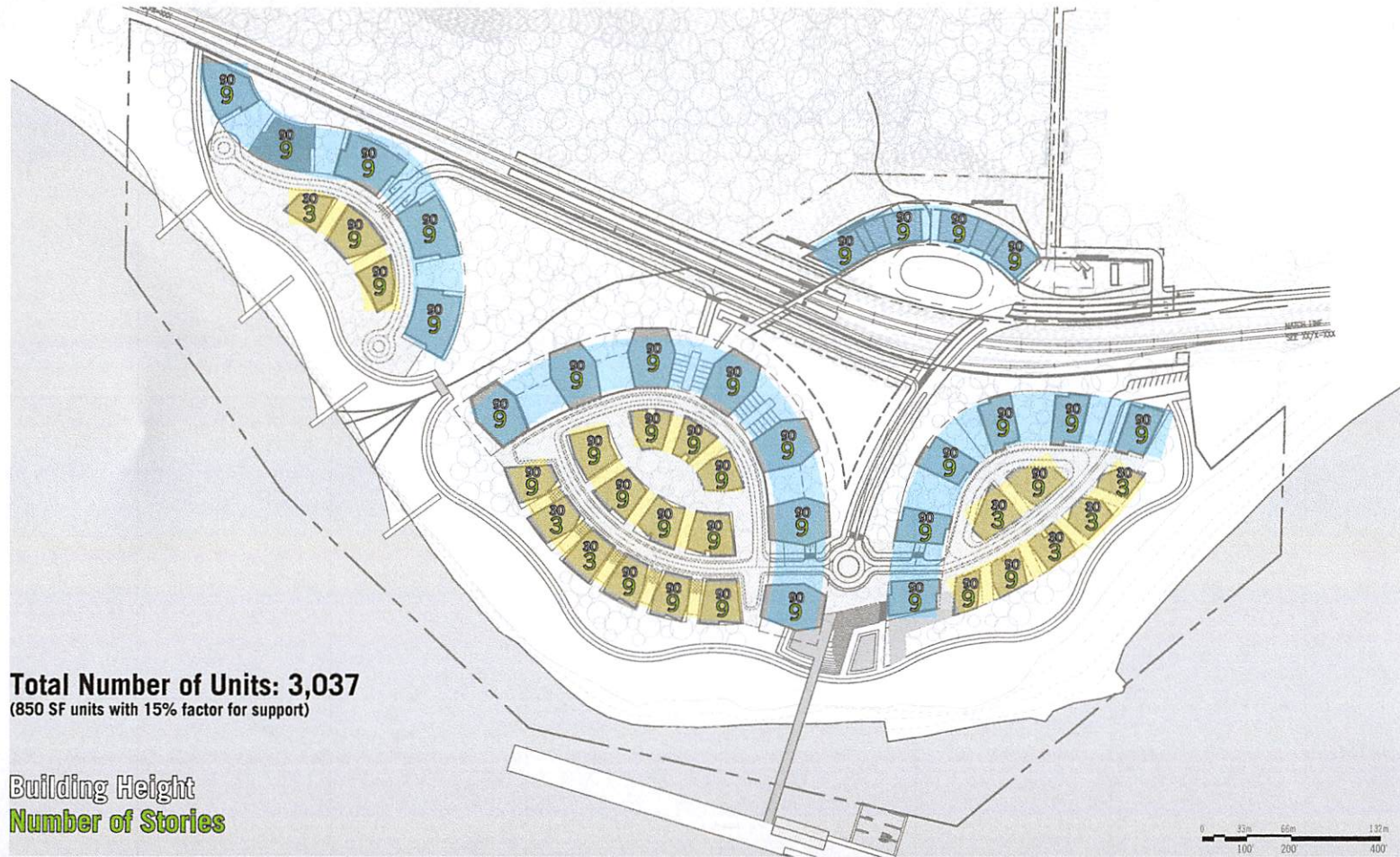
Total Number of Units: 3,037
(850 SF units with 15% factor for support)

Building Names

Building Plot Guide

07/17/15

PERKINS
+ WILL



Total Number of Units: 3,037
 (850 SF units with 15% factor for support)

Building Height
 Number of Stories

Plan Scheme 90' Max Height
 07/17/15

PERKINS
 + WILL

BUILDING	NUMBER OF STORIES	FLOOR PLATE HEIGHT	A. AREA PER UNIT MODIFIER	B. SUPPORT ADJUSTMENT % MODIFIER	ROOM CALC PER FLOOR (BEFORE ROUNDING)	# OF UNITS DETERMINED BY MODIFIERS	TOTAL FLOOR AREA (SF)
NV-T1	9	10	850	15	9.7	87	85335.75
NV-T2	9	10	850	15	12.4	112	109089
NV-T3	9	10	850	15	12.9	116	113487.75
NV-T4	9	10	850	15	13.0	117	114367.5
NV-T5	9	10	850	15	12.9	116	113487.75
NV-L1	3	10	850	15	5.3	16	15542.25
NV-L2	9	10	850	15	9.2	83	80937
NV-L3	9	10	850	15	6.1	55	53664.75
CV-T1	9	10	850	15	11.0	99	96772.5
CV-T2	9	10	850	15	11.0	99	96772.5
CV-T3	9	10	850	15	11.0	99	96772.5
CV-T4	9	10	850	15	11.0	99	96772.5
CV-T5	9	10	850	15	11.0	99	96772.5
CV-T6	9	10	850	15	11.0	99	96772.5
CV-T7	9	10	850	15	11.0	99	96772.5
CV-L1	9	10	850	15	7.2	65	63342
CV-L2	3	10	850	15	7.2	22	21114
CV-L3	3	10	850	15	7.2	22	21114
CV-L4	9	10	850	15	7.2	65	63342
CV-L5	9	10	850	15	7.2	65	63342
CV-L6	9	10	850	15	8.1	73	71259.75
CV-L7	9	10	850	15	8.6	77	75658.5
CV-L8	9	10	850	15	7.5	68	65981.25
CV-L9	9	10	850	15	7.4	67	65101.5
CV-L10	9	10	850	15	8.1	73	71259.75
CV-L11	9	10	850	15	6.3	57	55424.25
CV-L12	9	10	850	15	5.5	50	48386.25
CV-L13	9	10	850	15	6.3	57	55424.25
SV-T1	9	10	850	15	8.1	73	71259.75
SV-T2	9	10	850	15	8.1	73	71259.75
SV-T3	9	10	850	15	8.1	73	71259.75
SV-T4	9	10	850	15	8.1	73	71259.75
SV-T5	9	10	850	15	8.1	73	71259.75
SV-T6	9	10	850	15	8.1	73	71259.75
SV-L1	9	10	850	15	4.6	41	40468.5
SV-L2	9	10	850	15	5.9	53	51905.25
SV-L3	3	10	850	15	6.0	18	17595
SV-L4	3	10	850	15	5.9	18	17301.75
SV-L5	3	10	850	15	4.6	14	13489.5
SV-L6	3	10	850	15	7.5	23	21993.75
SV-L7	9	10	850	15	7.5	68	65981.25
UP-T1	9	10	850	15	6.3	57	55424.25
UP-T2	9	10	850	15	5.7	51	50145.75
UP-T3	9	10	850	15	5.7	51	50145.75
UP-T4	9	10	850	15	5.4	49	47506.5

TOTAL NV UNIT COUNT TOTAL NV FLOOR AREA
702 685911.75

TOTAL CV UNIT COUNT TOTAL CV FLOOR AREA
1454 1418157

TOTAL SV UNIT COUNT TOTAL SV FLOOR AREA
673 656293.5

TOTAL UP UNIT COUNT TOTAL UP FLOOR AREA
208 203222.25

3037 2963584.5

This page is marked to show the number of stories per building in the applicant's alternate 90-foot plans

Out of 45 buildings, all but seven are nine stories high, producing an institutional, unattractive, dormitory-style development.



90' Max Height Scheme

07/17/15

PERKINS
+ WILL



90' Max Height Scheme

07/17/15

PERKINS
+ WILL

Exhibit #2

(two pages)

phase. We acknowledge that significant improvements to the parking design took place between the 2011 and 2017 plans, but more design work and review for internal consistency is necessary. Detailed comments on parking design are under our review of Chapter 30.26 SCC (Parking) beginning on page 54. See also the marked up plans. Most importantly, the plans do not include sheets showing all of the parking levels (the plans must depict each parking area).

Snohomish County cannot support the requested variance (11-101457 VAR) to allow a surplus of parking in the Central Village (phase 3) to offset shortages in phases 1, 2, and 4. Using the applicants own buildout timeline of 5-years per phase, this means that the Urban Plaza and South Village (phases 1 and 2) would exist without adequate parking for 10 years and 5 years, respectively. If the applicant does not withdraw the variance request, Snohomish County will need to recommend to the Hearing Examiner that the Examiner deny the request. See detailed comments on this issue at page 111 under review of Chapter 30.43B SCC (Variances).

Buildings Greater than 90-Feet in Height

Building heights for the Point Wells project have generated a great deal of public comment and opposition. Much depends on interpretation of a portion of SCC 30.34A.040 (2010).²⁰ With emphasis added, the relevant portion reads:

(1) The maximum building height in the UC zone shall be 90 feet. A building height increase up to an additional 90 feet may be approved under SCC 30.34A.180 when the additional height is documented to be necessary or desirable when the project is **located near a high capacity transit route or station** and the applicant prepares an environmental impact statement [...]

The project submittal includes buildings greater than 90 feet and an Environmental Impact Statement (EIS) is underway that includes analysis of the relevant issues in SCC 30.34A.040(1) (2010). This leaves an unanswered question:

Is Point Wells located near a high capacity transit route or station?

This review completion letter does not answer the question above, nor is it required to. Snohomish County uses review letters to ask applicants for revisions or more information. In this case, we are asking the applicant to provide additional information and opinion. No decision will take place on this issue until the Hearing Examiner renders a decision on the project as a whole. However, opinions on the matter are important because it is a key aspect of the approvability of the proposed design. PDS and DPW will eventually make a recommendation to the Hearing Examiner on the issue and more information from the applicant would help inform that eventual recommendation.

²⁰ See discussion of other issues from SCC 30.34A.040 (2010) on page 111.

The applicant must revise the project narrative to expand on their answer to the question of whether Point Wells is near a high capacity route or station, including identification of specific high capacity transit route(s) or station(s) that would meet this requirement. When making these revisions, the applicant must, at a minimum, consider and respond to the following documents:

- Transit Compatibility Comment Memo from Erik Olson (DPW) dated May 23, 2017²¹
- Snohomish County DPW Rule 4227, relating to transit compatibility criteria²²
- Public comment email from Tom McCormick to Ryan Countryman dated August 30, 2017²³

Incomplete Application

The permit applications in 2011 were determined to be complete enough for PDS to accept them and begin review, but were not complete in the sense that additional information was necessary. Since 2011 and through the April 17, 2017, revised applications, the applicant has made progress on providing missing information. However, before the Draft EIS is possible, the applicant must provide several important pieces of information:

1. Mitigation Plan for impacts to wetland, fish, and wildlife habitat (SCC 30.62A.150),
2. Habitat Management Plan (SCC 30.62A.460).
3. Geotechnical Report(s) addressing shoreline stabilization and flood protection measures per (SCC 30.62B.140).
4. Report(s) describing contamination of the site and plans for cleanup, see page 25.
5. Plan sheets for areas not depicted on the site plans, including missing building and parking floor plans.
6. Parking demand study.

²¹ The May 23, 2017 Transit Compatibility Memo is available at <https://snohomishcountywa.gov/DocumentCenter/Home/View/45381>. It references a June 15, 2011 transit compatibility memo to which the April 17, 2017, revised applications did not include an adequate response. The June 15, 2011 memo is available at <https://snohomishcountywa.gov/DocumentCenter/Home/View/46572>.

²² Review of Point Wells is per the first revision version of Rule 4227 (October 11, 2004) which was still in effect at the 2011 project submittal. It is available at <https://snohomishcountywa.gov/DocumentCenter/Home/View/9849>.

²³ A PDF of this email is available at <https://snohomishcountywa.gov/DocumentCenter/Home/View/46583>. The attachment to the original email is available at <https://snohomishcountywa.gov/DocumentCenter/Home/View/46586>.

Exhibit #3

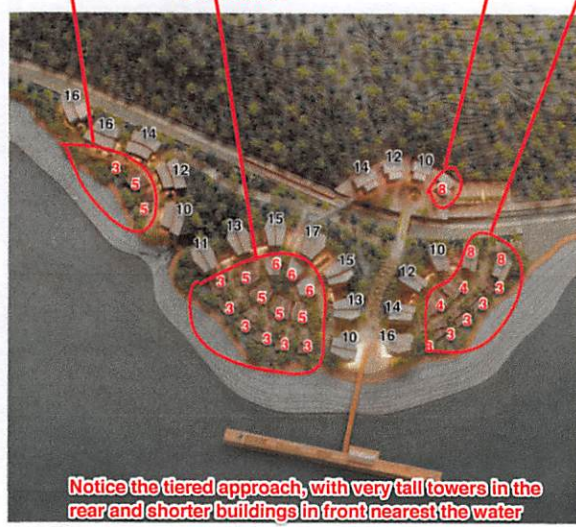
(2 pages)

3 buildings in North Village < 90 feet
 -- 1 @ 3 stories
 -- 2 @ 5 stories

1 building in Urban Plaza < 90 feet
 -- 1 @ 8 stories

13 buildings in Central Village < 90 feet
 -- 6 @ 3 stories
 -- 4 @ 5 stories
 -- 3 @ 6 stories

9 buildings in South Village < 90 feet
 -- 5 @ 3 stories
 -- 2 @ 4 stories
 -- 2 @ 8 stories

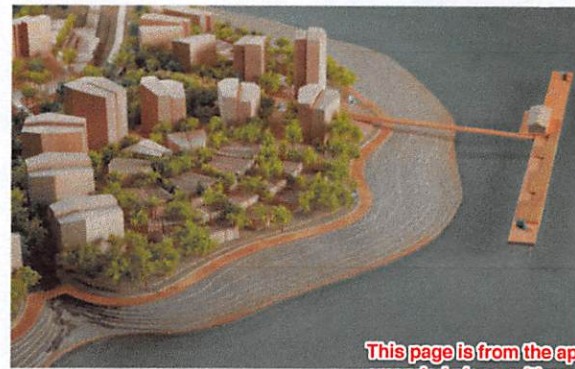


Notice the tiered approach, with very tall towers in the rear and shorter buildings in front nearest the water

ARIAL VIEW OF SITE



SITE FROM WATER



CENTRAL VILLAGE AND PIER



NORTH VILLAGE

This page is from the applicant's 2017 amended plans, with markups in red showing number of stories

PER
 +
 *

Point Development

Point Wells
 616 Kay Tuttle
 701 5th Avenue, S
 Seattle, WA 98104



REV.	DATE
1	CORRECTION

MODEL

G-1

NOT ISSUED FOR CONSTRUCTION



Screenshot from Flyover video on applicant's website

Notice the tiered approach, with very tall towers in the rear and shorter buildings in front nearest the water